



STATUTORY INSTRUMENTS.

**S.I. No. 591 of 2014**



LOBSTER (CONSERVATION OF STOCKS) REGULATIONS 2014

## LOBSTER (CONSERVATION OF STOCKS) REGULATIONS 2014

I, Simon Coveney, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by section 15 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 (No. 8 of 2006) and the Sea Fisheries, Foreshore and Dumping at Sea (Transfer of Departmental Administration and Ministerial Functions) Order 2007 (S.I. No. 707 of 2007) (as adapted by the Agriculture, Fisheries and Food (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 455 of 2011)), hereby make the following regulations:

1. These Regulations may be cited as the Lobster (Conservation of Stocks) Regulations 2014.

2. These Regulations come into operation on 1 January 2015.

3. In these Regulations—

“flap” means any part of the five flaps of the tail fan of a lobster including the telson with anus and left and right uropod each uropod containing two flaps;

“lobster” means *Homarus gammarus*;

“mutilated lobster” means a lobster which has been mutilated in such a manner which could hide or obliterate a V notch;

“sell” includes offer, expose or keep for sale, invite an offer to buy, or distribute for reward;

“V notch” means a marking in the shape of the letter “V” cut for the purposes of identification of particular lobsters into one or more of the five flaps of the tail fan of any lobster, with the apex of the V positioned inwards from the edge of the flap;

“V notched lobster” means a lobster bearing a V notch.

4. Subject to Regulation 9, and notwithstanding Council Regulation (EC) No 850/98 of 30 March 1998<sup>1</sup> for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms, these Regulations apply to—

(1) V notched lobster,

(2) mutilated lobster, and

<sup>1</sup>OJ No. L 125, 27.4.1998, p.1

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 2nd January, 2015.*

(3) from 1 January 2017, any lobster with a carapace size greater than 127 millimetres, measured in accordance with Article 18 of Council Regulation (EC) No 850/98 of 30 March 1998,

taken by an Irish sea fishing boat.

5. (1) The master or person in charge of an Irish sea-fishing boat shall not cause or permit a lobster to which these Regulations apply to be retained on board the sea-fishing boat.

(2) The master or person in charge of an Irish sea-fishing boat shall not cause or permit any person on board to retain a lobster to which these Regulations apply on board the sea-fishing boat.

6. The master or person in charge of an Irish sea-fishing boat shall not cause or permit the boat to be used for the landing or transhipment of a lobster to which these Regulations apply.

7. The master or person in charge of an Irish sea-fishing boat shall cause a lobster to which these Regulations apply, taken by the Irish sea-fishing boat, to be carefully handled and returned alive to the sea without delay.

8. A person shall not buy, handle, tranship, transport, land, process, store or sell a lobster taken by an Irish sea fishing boat to which these Regulations apply.

9. (1) From 1 January 2015, a person shall not buy, sell or process a lobster with a carapace size greater than 127 millimetres, measured in accordance with Article 18 of Council Regulation (EC) No 850/98 of 30 March 1998, taken by an Irish sea fishing boat.

(2) From 1 January 2017, paragraph (1) shall no longer apply.

10. The Lobster (Conservation of Stocks) Regulations, 2006 (S.I. No. 234 of 2006) are revoked.



GIVEN under my Official Seal  
17 December 2014.

SIMON COVENEY,  
Minister for Agriculture, Food and the Marine.

EXPLANATORY NOTE

*(This note is not part of the instrument and does not purport to be a legal interpretation.)*

These Regulations replace S.I. 234 of 2006 and continue to impose the conservation measure whereby all lobster containing a V notch and all mutilated lobsters must be returned to the sea. The effect of these Regulations is to also introduce a prohibition on the buying, selling or processing of any lobster whose carapace length is greater than 127 mm from 1 January 2015 for a period of two years. During the two-year period, such lobsters may be landed to be v-notched. On expiry of the two-year transitional period (1 January 2017), the conservation measures which apply to a V notch lobster and a mutilated lobster will also apply to a lobster greater than 127 mm.

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(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)  
nó trí aon díoltóir leabhar.

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DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE  
To be purchased from  
GOVERNMENT PUBLICATIONS,  
52 ST. STEPHEN'S GREEN, DUBLIN 2.  
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)  
or through any bookseller.

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€1.27

